



Sen. Mike Porfirio

**Filed: 3/10/2026**

10400SB2754sam001

LRB104 16560 WRO 35363 a

1 AMENDMENT TO SENATE BILL 2754

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2754 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Municipal Code is amended by  
5 changing Section 11-101-3 as follows:

6 (65 ILCS 5/11-101-3)

7 Sec. 11-101-3. Noise mitigation; air quality.

8 (a) A municipality that has implemented a Residential  
9 Sound Insulation Program to mitigate aircraft noise shall  
10 perform indoor air quality monitoring and laboratory analysis  
11 of windows and doors installed pursuant to the Residential  
12 Sound Insulation Program to determine whether there are any  
13 adverse health impacts associated with off-gassing from such  
14 windows and doors. Such monitoring and analysis shall be  
15 consistent with applicable professional and industry  
16 standards. The municipality shall make any final reports

1 resulting from such monitoring and analysis available to the  
2 public on the municipality's website. The municipality shall  
3 develop a science-based mitigation plan to address significant  
4 health-related impacts, if any, associated with such windows  
5 and doors as determined by the results of the monitoring and  
6 analysis. In a municipality that has implemented a Residential  
7 Sound Insulation Program to mitigate aircraft noise, if  
8 requested by the homeowner pursuant to a process established  
9 by the municipality, which process shall include, at a  
10 minimum, notification in a newspaper of general circulation  
11 and a mailer sent to every address identified as a recipient of  
12 windows and doors installed under the Residential Sound  
13 Insulation Program, the municipality shall replace (1) all  
14 windows and doors installed under the Residential Sound  
15 Insulation Program in such homes where one or more windows or  
16 doors have been found to have caused offensive odors and (2)  
17 all windows and doors in homes where homeowners elected to  
18 enroll in window and door replacement for the purpose of odor  
19 mitigation and previously accepted screen replacements as the  
20 exclusive means of odor mitigation. A homeowner is not  
21 required to perform or have performed a new odor inspection of  
22 a home to be eligible to have the windows and doors in the home  
23 replaced under paragraph (2) of this Section. However, State  
24 revenues generated from airports and the State sales tax on  
25 aviation fuel may not be used to replace any windows or doors  
26 in a homes if an odor inspection of the home was performed

1 after June 5th, 2019 as part of the Residential Sound  
2 Insulation Program and found no offensive odor. Subject to  
3 appropriation, the municipality shall replace windows and  
4 doors in at least 750 residences a year. Residents who altered  
5 or modified a replacement window or accepted a replacement  
6 screen for the window shall not be disqualified from  
7 compensation or future services. Only those homeowners who  
8 request that the municipality perform an odor inspection as  
9 prescribed by the process established by the municipality  
10 within 6 months of notification being published and mailers  
11 being sent shall be eligible for odorous window and odorous  
12 door replacement. Residents who are eligible to receive  
13 replacement windows shall be allowed to choose the color and  
14 type of replacement window. For purposes of aiding in the  
15 selection of such replacement windows, a showcase and display  
16 of available replacement window types shall be established and  
17 located at Chicago Midway International Airport. Homes that  
18 have been identified by the municipality as having odorous  
19 windows or doors are not required to make said request to the  
20 municipality. The right to make a claim for replacement and  
21 have it considered pursuant to this Section shall not be  
22 affected by the fact of odor-related claims made or  
23 odor-related products received pursuant to the Residential  
24 Sound Insulation Program prior to June 5, 2019 (the effective  
25 date of this Section). The municipality shall also perform  
26 in-home air quality testing in residences in which windows and

1 doors are replaced under this Section. In order to receive  
2 in-home air quality testing, a homeowner must request such  
3 testing from the municipality, and the total number of homes  
4 tested in any given year shall not exceed 25% of the total  
5 number of homes in which windows and doors were replaced under  
6 this Section in the prior calendar year.

7 (b) An advisory committee shall be formed, composed of the  
8 following: (i) 2 members of the municipality who reside in  
9 homes that have received windows or doors pursuant to the  
10 Residential Sound Insulation Program and have been identified  
11 by the municipality as having odorous windows or doors,  
12 appointed by the Secretary of Transportation; (ii) one  
13 employee of the Aeronautics Division of the Department of  
14 Transportation who shall only cast votes when breaking a tie;  
15 (iii) 2 employees of the municipality that implemented the  
16 Residential Sound Insulation Program in question; and (iv) 2  
17 members appointed by the Speaker of the House of  
18 Representatives, 2 members appointed by the President of the  
19 Senate, one member appointed by the Minority Leader of the  
20 House of Representatives, and one member appointed by the  
21 Minority Leader of the Senate. The advisory committee shall  
22 determine by majority vote which homes contain windows or  
23 doors that cause offensive odors and thus are eligible for  
24 replacement, shall promulgate a list of such homes, and shall  
25 develop recommendations as to the order in which homes are to  
26 receive window replacement. The recommendations shall include

1 reasonable and objective criteria for determining which  
2 windows or doors are odorous, consideration of the date of  
3 odor confirmation for prioritization, severity of odor,  
4 geography and individual hardship, and shall provide such  
5 recommendations to the municipality. The advisory committee  
6 shall develop a process in which homeowners can demonstrate  
7 extreme hardship. As used in this subsection, "extreme  
8 hardship" means: liquid infiltration of the window or door;  
9 health and medical condition of the resident; and residents  
10 with sensitivities related to smell. At least 10% of the homes  
11 receiving a replacement in a year shall be homes that have  
12 demonstrated extreme hardship. The advisory committee shall  
13 compile a report demonstrating: (i) the number of homes in  
14 line to receive a replacement; (ii) the number of homes that  
15 received replacement windows or doors, or both; (iii) the  
16 number of homes that received financial compensation instead  
17 of a replacement; and (iv) the number of homes with confirmed  
18 mechanical issues. Until December 31, 2022, the report shall  
19 be compiled monthly, after December 31, 2022, the report shall  
20 be compiled ~~compiled~~ quarterly. The advisory committee shall  
21 accept all public questions and furnish a written response  
22 within 2 business days. The advisory committee shall comply  
23 with the requirements of the Open Meetings Act. The Chicago  
24 Department of Aviation shall provide administrative support to  
25 the committee. The municipality shall consider the  
26 recommendations of the committee but shall retain final

1 decision-making authority over replacement of windows and  
2 doors installed under the Residential Sound Insulation  
3 Program, and shall comply with all federal, State, and local  
4 laws involving procurement. A municipality administering  
5 claims pursuant to this Section shall provide to every address  
6 identified as having submitted a valid claim under this  
7 Section a quarterly report setting forth the municipality's  
8 activities undertaken pursuant to this Section for that  
9 quarter. However, the municipality shall replace windows and  
10 doors pursuant to this Section only if, and to the extent,  
11 grants are distributed to, and received by, the municipality  
12 from the Sound-Reducing Windows and Doors Replacement Fund for  
13 the costs associated with the replacement of sound-reducing  
14 windows and doors installed under the Residential Sound  
15 Insulation Program pursuant to Section 6z-20.1 of the State  
16 Finance Act. In addition, the municipality shall revise its  
17 specifications for procurement of windows for the Residential  
18 Sound Insulation Program to address potential off-gassing from  
19 such windows in future phases of the program. A municipality  
20 subject to the Section shall not legislate or otherwise  
21 regulate with regard to indoor air quality monitoring,  
22 laboratory analysis or replacement requirements, except as  
23 provided in this Section, but the foregoing restriction shall  
24 not limit said municipality's taxing power.

25 (c) A home rule unit may not regulate indoor air quality  
26 monitoring and laboratory analysis, and related mitigation and

1 mitigation plans, in a manner inconsistent with this Section.  
2 This Section is a limitation of home rule powers and functions  
3 under subsection (i) of Section 6 of Article VII of the  
4 Illinois Constitution on the concurrent exercise by home rule  
5 units of powers and functions exercised by the State.

6 (d) This Section shall not be construed to create a  
7 private right of action.

8 (Source: P.A. 103-200, eff. 6-30-23; 104-404, eff. 8-15-25;  
9 revised 12-12-25.)".